

TANNER HAS AN INNING.

The Ex-Commissioner Replies to Noble's Letter of July 24 at Length.

A Denial that He Ever Doubted the Secretary's Authority in the Bureau.

The Corporal's Showing of the Re-Rated Cases Among Employees--The Investigating Committee.

WASHINGTON, Oct. 21.—Ex-Commissioner Tanner is out with a long statement replying to Secretary Noble's letter of July 24th, the gist of which was given in these dispatches on Friday night. Tanner denies at the outset that he defied the secretary on the subject of re-rating, or his authority in the administration of the bureau. He gives out for publication the letter to which Secretary Noble's reply was made. In it Tanner says:

"In fact, I do not propose in any event to have an honorable lifetime snatched in the slightest degree at this period of my existence, and where I may find well founded reasons for believing that I have been imposed upon and misled, I shall be quick to recommend the condemnation merited by the parties concerned. I desire to add furthermore that I have made a comparison of action in these cases (meaning the cases of pension office employees) with the taken by my predecessor in similar cases and find the comparison is entirely favorable to the present administration."

Tanner, in commenting on the stress laid by Secretary Noble upon the fact that he was re-rating, says when he took the office he found that on the question of re-rating the office had been since May 23, 1886, operating in accordance with a decision rendered by Assistant Secretary Jenks, who, in the case of C. A. Watson, declared that if in any case adjustment under the act of March 3, 1879, arrears of pensions were not graded according to the pensioner's disability, neither section 4928 nor any other provision of law prohibits readjusting.

Watson's decision was in part for a pension on account of sunstroke, but he made no claim for that disability until fifteen years after his discharge. Mr. Jenks states that while the presumption from the fact that he made no claim until fifteen years after discharge is not in favor of the view that disability was great, still he holds that the claimant should have an opportunity to show the extent of his disability during that period. If the evidence should show that for any portion of time since his discharge he has been disabled in that period it should be increased so as to correspond with the degree of disability. "If Secretary Noble sees fit," says Tanner, "to construe the statutes so as to make them less liberal to the soldier than did his eminent democratic predecessor, the responsibility must rest with him, and I am not willing that while so doing he shall, unchallenged, arraign me as operating without reason and beyond the pale of law."

"Various statements have been published about the vast number of claims of the employees of the pension office which have been acted upon during my incumbency. The fact is there were but thirty-three of them all told. There are nearly 700 soldiers employed in the pension office, and the public can judge as well as I how much foundation there is regarding the point of numbers. For the criticism passed upon the office in that respect suffice it to say that four gentlemen, men of long experience and of acknowledged character and capacity, in their report to me on twenty-four cases, broadly impeached the correctness of the action in one case, whereupon I immediately called for the papers in that case, and finding that the criticism had not been issued, cancelled all proceedings taken in the case. Of the thirty-three cases they reported that three were simply an increase and not re-rated cases; that action taken in two of the others was right in part, and that in one case justice was done a pensioner and that he had not been granted enough. Six cases were reported as having been wrongly favored; all the rest were certified to as absolutely correct. On the 20th of June there came notice to me of the fact that a committee of investigation had been constituted. When they appeared, a day or two afterwards, I instructed the chief clerk to place the office and all it contained at their disposal if they desired it. This terminated my association with the committee of investigation right at the commencement of its existence. I never saw the report of the committee on the investigation until the afternoon of the day I resigned, when I found it on a table in the White House, and was there told by the president and secretary that I set in a position where I had the opportunity of my life to serve our comrades and our country. I desired to serve them to the full extent that the law permits, and not one iota beyond. I desired to make this branch of the administration so popular with the veterans and patriotic people over the country at large that in the future there could be no question where the support of men who served and suffered would be given."

Tanner says this letter was never answered and it closed the communication between him and the secretary. In regard to the secretary's assumption of his insubordination, Tanner presents a letter which he sent to the secretary August 31st, and in which he expresses regret that they had fallen apart, and attributes the trouble to too little personal communication. The letter goes on to say: "I recognize that the report contained nothing which would in the slightest degree reflect upon my integrity or impeach the honesty of my action as commissioner."

The Ordeal by Boiling Oil in Ceylon. Recently the district judge at Kalutara, in Ceylon, had before him three persons, including a village headman, charged with causing grievous hurt to four others by requiring them to plunge their hands into a cauldron of boiling oil. The medical evidence described the hands as being in "a sodden, suppurating condition," the fingers being in some cases nearly as black as the injured persons were unable to testify to their ordinary vocations for about a month.

The facts of the case, as stated in the judgment, were these: A woman in the village had some plumage and, who stands from her a headman made inquiry, and failing to obtain a clue to the theft, and noting that it would be necessary on the third day to hold an ordeal of boiling oil. This appears to be a not uncommon custom in remote parts of the country, and the formalities are as follows: Some oil from newly gathered king coconuts is manufactured by one of the friends of the complainant; this is poured into a cauldron and heated to boiling point. Each of the suspected parties is supposed to dip his hand into the vessel of boiling oil, and is at liberty to sprinkle as much of the hot oil as he brings up with his fingers on the person of the complainant, who stands close at hand. Any exclamation of pain on the part of the suspected person is construed into an admission of guilt. If no such exclamation is made the innocence of the party is supposed to be established. In the present case the evidence established that the pressure on the accused was

not merely moral; they were forced to dip their hands into the burning oil. No force seems to have been used in bringing them to the scene of the ordeal; they collected there in response to the orders of the headman, who, seated on a platform opposite the vessel of oil, appears to have acted as the presiding judge. Each of the complainants deposed to the fact that they were reluctant to submit to the ordeal, but were forcibly dragged up to the cauldron by the other two accused, and their hands were plunged into the burning oil. They had sufficient self-control to abstain from calling out, except a boy of 17 years, who cried out loudly and wept thereupon, pronounced the guilty one. The judge took the fact that it was a custom into account, but refused to dismiss the prisoners with a warning, as suggested by their counsel. He then 100 rupees each, with the alternative of rigorous imprisonment for ten months.

She Was Unusually Discreet.

A little Maine girl recently visited New York and went to the theatre two or three times. On her return home she was reluctant to go to church on Sunday and made the remark that "she liked those meetings best where the curtain rose." Her father, who was a leading church member, cautioned her about making that remark when callers were present. Shortly after the minister was shown in and the little girl entertained him awhile alone. When her father entered the room she said: "Papa, I've told the minister all about my visit to New York, but I didn't say anything about the meeting where the curtain rose and I ain't going to either." The little rogue was just about as discreet as her papa was when he told her to keep mum. Why mum-ness?

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LAND NOTICES.

NOTICE OF PUBLICATION.

LAND OFFICE AT HELENA, MONT., September 30, 1889.

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before register and receiver of Helena, Mont., on November 2, 1889, viz: Cyrus Clapp, who made D. S. No. 5694, C. E. 205 for the sw¹/₄, nw¹/₄, and sw¹/₄, sec. 13 and n¹/₂ sec. 14, tp. 17 n. r. 1 w.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Edwin E. James, of Chestnut, Mont.; Charles W. Spaulding, of St. Clair, Mont.; Thomas L. Gorham, of St. Clair, Mont.; John A. Harris, of Chestnut, Mont.

S. W. LANGHORNE, Register.

First publication Oct. 1, 1889.

NOTICE.

UNITED STATES LAND OFFICE, HELENA, MONT., Sept. 18, 1889.

COMPLAINT HAVING BEEN ENTERED AT this office by Robert A. Day against Viola V. Hoyt and heirs for abandoning her homestead entry No. 3808, dated May 24, 1888, upon the sw¹/₄ section 28, township 10, north range 4 west, in Lewis and Clarke county, Montana, with a view to the cancellation of said entry, the parties are hereby summoned to appear at this office on the 30th day of October, 1889, at 10 o'clock a. m. to respond and furnish testimony concerning said alleged abandonment.

A. H. NELSON, Attorney for contestant.

First publication Sept. 20.

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